

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

REGINALD A. WILLIAMS,)	
)	
Plaintiff,)	
)	
v.)	No. 4 :05CV415 HEA
)	
METROPOLITAN POLICE DEPT.)	
OF THE CITY OF ST. LOUIS, et al.,)	
)	
Defendants,)	

OPINION, MEMORANDUM AND ORDER

This matter is before the Court on defendants' Motion to Dismiss, [Doc. 22]. Plaintiff has failed to file a response to this motion in accordance with the Court's local rules. For the reasons set forth below, the motion is granted.

On November 30, 2005, the Court held a scheduling conference as provided in Rule 16 of the Federal Rules of Civil Procedure. All parties appeared by counsel. The Court entered its Case Management Order following this scheduling conference.

In accordance with the Case Management Order, the parties were to make initial disclosures pursuant to Rule 26(a)(1) no later than December 15, 2005. On February 1, 2006, plaintiff filed his motion for an extension of time to file expert witness designations. Defendants did not object to this motion and it was granted

on February 17, 2006.

On March 1, 2006, defendants requested plaintiff to provide his initial disclosures. Plaintiff did not respond to this request. Defendants now move to dismiss under Rule 41(b). Rule 41(b) provides:

Involuntary Dismissal: Effect Thereof. For failure of the plaintiff to prosecute or to comply with these rules or any other order of court, a defendant may move for dismissal of an action or of any claim against the defendant. Unless the court in its order for dismissal otherwise specifies, a dismissal under this subdivision and any dismissal not provided for in this rule, other than a dismissal for lack of jurisdiction, for improper venue, or for failure to join a party under Rule 19, operates as an adjudication upon the merits.

Rule 41(b) applies in this matter. Plaintiff has failed to comply with this Court's Order requiring Rule 26 disclosures. Although defendants were accommodating in their requests, plaintiff's failure to provide the required discovery works a hardship against defendants and hinders the timely progression of this matter.

Accordingly,

IT IS HEREBY ORDERED that defendants' Motion to Dismiss, [Doc. No. 22], is granted

Dated this 27th day of March, 2006.



HENRY EDWARD AUTREY

UNITED STATES DISTRICT JUDGE